

September 2012

MEMORANDUM

To All Licensees

RE: 2013 ANNUAL LICENSE RENEWAL

Please note the following items:

- ❖ The mandatory license law has been in effect since July 1, 2007. Unless you are exempt from the law you must maintain a current license to practice counseling / therapy.
 - **Please do not wait until the end of December to renew your license. By law you must have a renewed license by January 1.**
 - **You are not renewed unless you have a 2013 Renewal Card in your possession.**
 - Every January 1, the \$50 Late Fee is effective.
 - If you are an approved Supervisor, your supervision is not compliant if you are not renewed by January 1.
- ❖ **Please record your license number(s) correctly on the Renewal Application.** For example, your complete license number includes the license type and a number = **LPC-MH777**. Using just the number may likely duplicate another license type.
- ❖ **Please remember the Renewal Application is a legal document.** You must complete every part or the Application will be returned to you and delay your renewal.
- ❖ **Be reminded, forty (40) hours of compliant Continuing Education will be due NEXT YEAR.** Of those 40, four (4) hours must be counseling-related Ethics. Compliant CE must be approved by one of the following:
 - NBCC – National Board of Certified Counselors
 - AAMFT – American Association of Marriage & Family Therapists
 - CRCC – Commission of Rehabilitation Counselor Certification
 - NASW – National Association for Social Workers *(not the State SW Chapter)*
 - APA – American Psychological Association
 - AMA PRA Category 1 Credit – American Medical Association
 - JCAHCO – Joint Commission for Accreditation of Health Care Organizations
 - BCE – SD Board of Examiners for Counselors and Marriage & Family Therapists
 - Another state licensing board for Counselors or Marriage & Family Therapists
 - College Courses that relate to Counseling and can be evidenced on College transcripts

NOTE: If you chose **NOT** to renew your SD license, you must indicate this decision on your Renewal Application and promptly return it to the Licensing Office along with your **ORIGINAL LICENSE**.

APPLICABLE LAWS

36-32-1. Definition of terms. Terms as used in this chapter mean:

- (5) "Practice of professional counseling," application of mental health, psychological, and human development principles in order to:
- (a) Facilitate human development and adjustment throughout the life span;
 - (b) Prevent, diagnose, and treat mental, emotional, or behavioral disorders and associated distresses which interfere with mental health;
 - (c) Conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives; and
 - (d) Plan, implement, and evaluate treatment plans using counseling treatment interventions;

36-32-9. Unlicensed practice as a misdemeanor. It is a Class 2 misdemeanor for any person to engage in the practice, or attempt to practice, professional counseling as defined in subdivision 36-32-1(5) and collect a fee for the service without a license issued pursuant to this chapter.

36-33-4. Practice without license a misdemeanor. It is a Class 2 misdemeanor for any person to engage in the practice of, or attempt to practice, marriage and family therapy as a licensed marriage and family therapist without a license issued pursuant to the provisions of this chapter.

36-32-12. Inapplicability of chapter to certain activities and services. This chapter does not apply to the activities and services of a person practicing professional counseling as defined in subdivision 36-32-1(5) as part of that person's duties as a:

- (1) Professional licensed or certified under this title acting in a manner consistent with state law regarding the scope of practice;
- (2) Person employed by a school, college, university, or other institution of higher learning;
- (3) Person employed by a federal, state, county, or local governmental institution or agency while performing those duties for which the person was employed by such institution, agency, or facility;
- (4) Person who is employed by a licensed health care facility, an accredited prevention or treatment facility, an adjustment training center, a nonprofit mental health center, or a licensed or registered child welfare agency;
- (5) Member of the clergy while acting in a ministerial capacity if the activity is within the scope of performance of regular or specialized duties;
- (6) Post-graduate supervised trainee who has an approved plan of supervision on file with the board;
- (7) Mental health practitioner who has a minimum of a master's degree in counseling or a related mental health field with a plan of supervision and original transcripts on file with the board before July 1, 2008; or
- (8) Students enrolled in recognized programs of study leading to counseling degrees may practice only under the direct supervision of a counselor educator or counselor licensed under this chapter.

36-32-20. Renewal of license--Fee. Any license issued by the board requires renewal by the last day of December of each year in the manner and upon the payment of a fee, not to exceed one hundred dollars, established by the board by rules promulgated pursuant to chapter 1-26. Any licensee failing to renew a license prior to January first may be required to pay a late fee, not to exceed one hundred dollars, as prescribed in rules promulgated by the board. Any license not renewed by July first is inactive.

36-33-13. Expiration of license--Renewal--Fee. Any license issued by the board expires on December thirty-first of the year of issuance. A license shall be renewed annually. A licensee may request renewal by filing an application for renewal, on forms provided by the board, along with the renewal fee established by the board pursuant to § 36-33-17.

Application for ANNUAL RENEWAL of License for 2013
Renewal process must be completed before DECEMBER 31, 2012.

NAME: _____
Last First Middle

HOME PHONE: _____ WORK PHONE: _____

HOME ADDRESS: _____

HOME CITY: _____ HOME ST: _____ HOME ZIP: _____

EMAIL ADDRESS FOR OFFICE CONTACT: _____

BUSINESS NAME & COMPLETE ADDRESS: _____

CORRECT License Number (ex. LPCXXX) and correct Fee MUST accompany this application for renewal.

- | | |
|---|---------------|
| ▪ LICENSED PROFESSIONAL COUNSELOR
(RENEWAL FEE = \$100) | #LPC _____ |
| ▪ LICENSED PROFESSIONAL COUNSELOR-MENTAL HEALTH
(RENEWAL FEE = \$75) | #LPC-MH _____ |
| ▪ LICENSED MARRIAGE AND FAMILY THERAPIST
(RENEWAL FEE = \$75) | #LMFT _____ |

Please Respond to Each Statement:

I have / have not (*CIRCLE ONE*) been convicted of, pled guilty to, or pled no contest to, an offense in this calendar year that could have resulted in incarceration for more than a year.

I have / have not (*CIRCLE ONE*) had a license denied, revoked, suspended, or otherwise acted against for any reason in another state, territory, or in South Dakota, in this calendar year.

I have / have not (*CIRCLE ONE*) been disciplined by a mental health licensing or certification board or by any mental health related professional organization in this calendar year.

I am / am not (*CIRCLE ONE*) \$1,000 or more behind in child support payments.

Continue With Following Page

Application for ANNUAL RENEWAL of License for 2013

**Allow 2-weeks for processing and mail service. Please mail BY December 15th.
The \$50 Late Fee will be imposed if not Renewed by January 1st.**

(ARSD20:68:02 & 20:71:04 & 20:73:02)

Please complete every part, and answer every question, or the Application will be returned to you and delay your renewal.

In Accordance With SDCL 22-29-1:

“I declare and affirm under the penalties of perjury that this application and these responses have been examined by me, and to the best of my knowledge and belief, is in all things true and correct.” Any person who signs such statement knowing the same to be false or untrue, in whole or in part, shall be guilty of perjury.

Signature _____

Date _____

Send completed Application for Annual Renewal and correct fee to:

**SD Board of Examiners for Counselors and MFTs
PO Box 2164
Sioux Falls, SD 57101-2164**

FOR YOUR INFORMATION

- ~ Each licensee must complete at least 40 contact hours of continuing education (inc 4 hours of counseling-related ethics) every two-year period. *Next compliance is by December 31, 2013.*
- ~ Each licensee is responsible for retaining the original certificate or other record of contact hours from continuing education programs received from approved providers for at least five years.

College Credit Continuing Education Conversion Table:

1 Quarter Credit = 10 Contact Hours,
1 Semester Credit = 15 Contact Hours

For Office Use Only: Date Rec'd _____ Check # _____ Notes _____